

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

LISA M. HALES

§ § § § § § § § § §

PLAINTIFF

V.

Civil No. 1:22-cv-229-HSO-LGI

COMMISSIONER OF SOCIAL SECURITY

§ 8

DEFENDANT

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION [15] AND AFFIRMING THE FINAL DECISION OF
THE COMMISSIONER**

BEFORE THE COURT is United States Magistrate Judge LaKeysha Greer Isaac's Report and Recommendation [15], which recommends that the final decision of the Commissioner of Social Security ("the Commissioner") be affirmed. R. & R. [15] at 1. Plaintiff Lisa Hales has not objected to the Report and Recommendation [15] and the time for doing so has passed. *See id.* at 8. After due consideration of the Report and Recommendation [15], the record, and relevant legal authority, the Court finds that the Magistrate Judge's Report and Recommendation [15] should be adopted as the finding of this Court, and that the final decision of the Commissioner should be affirmed.

I. BACKGROUND

Plaintiff filed an application for Disability Insurance Benefits and Supplemental Security Income on November 9, 2018, which was denied. Compl. [1]

at 2 (file restricted access); Appellant Br. [12] at 2 (file restricted access). After denial of reconsideration, Plaintiff filed a timely request for a hearing. Appellant Br. [12] at 2 (file restricted access). Following a hearing before an Administrative Law Judge (“ALJ”), the ALJ denied the application on May 28, 2020. *Id.* On administrative appeal, the Appeals Council remanded the case on March 5, 2021, for further development of the record. *Id.* The ALJ again denied the application on October 7, 2021, and the Appeals Council affirmed the decision of the ALJ on July 5, 2022, making it the final decision of the Commissioner. *Id.* at 2-3.

On August 30, 2022, Plaintiff, through counsel, filed the pending Complaint [1] in this case, appealing the final decision of the ALJ. Compl.[1]. at 1. The Magistrate Judge entered a Report and Recommendation [15] on July 31, 2023. R. & R. [15] at 9. The Magistrate found there was substantial evidence in the record to support the final decision of the ALJ, and that the decision comports with relevant legal standards. *Id.* at 8. No party has objected to the Report and Recommendation [15], and the time for doing so has expired. *See id.*

II. DISCUSSION

When no party has objected to a magistrate judge’s report and recommendation, a court need not conduct a de novo review of it. 28 U.S.C. § 636(b)(1) (“A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.”). When there are no objections, this Court applies the “clearly erroneous,

abuse of discretion and contrary to law" standard of review to the report and recommendation. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989). Having conducted this required review, the Court concludes that the Report and Recommendation [15] is neither clearly erroneous nor contrary to law. The Court will therefore adopt the Magistrate Judge's Report and Recommendation [15] as the opinion of this Court and affirm the final decision of the Commissioner of Social Security.

III. CONCLUSION

IT IS, THEREFORE, ORDERED AND ADJUDGED that, the Report and Recommendation [15] of United States Magistrate Judge LaKeysha Greer Isaac entered in this case on July 31, 2023, is **ADOPTED** in its entirety as the finding of this Court.

IT IS, FURTHER, ORDERED AND ADJUDGED that, the final decision of the Commissioner of Social Security is **AFFIRMED**. This Court will enter a separate final judgment pursuant to Federal Rule of Civil Procedure 58.

SO ORDERED AND ADJUDGED, this the 15th day of August, 2023.

Halil Suleyman Ozerdan
HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE